

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SHELDON GORDON, *et al.*
Plaintiffs,

v.

DAVID DADANTE, *et al.*
Defendants.

: Case No. 1:05CV2726
:
: JUDGE KATHLEEN O'MALLEY
:
: OPINION AND ORDER
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:
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Before the Court is Mark Dottore's (the "Receiver") *Motion For a Temporary Restraining Order* (Doc. 219). For the reasons set out in greater detail during the March 15, 2007 hearing,¹ held on the record, the Receiver's *Motion For a Temporary Restraining Order* (Doc. 219) is **GRANTED**. Accordingly, a **Temporary Restraining Order** is issued as follows:

Frank Regalbuto, his family members, and any individual acting at Frank Regalbuto or his family members' behest or instruction (the "Restrained Parties") are **PROHIBITED** from entering onto the property or into the dwelling located at 773 Village Trail, Mayfield Village, Ohio without the prior written consent of the Receiver. The Restrained Parties are further **PROHIBITED** from accosting, addressing, contacting, or interfering with any

¹ At the hearing, counsel for the Receiver informed the Court that counsel for Mr. Regalbuto was notified of the *Motion For a Temporary Restraining Order*. Neither Mr. Regalbuto nor his counsel attended the hearing. Thus, as described below, the Court has limited the initial duration of the Temporary Restraining Order to six days.

potential purchasers of the aforementioned property.

The Court will hold a hearing, if necessary, on Wednesday, March 21, 2007 at 2:00 p.m. to determine whether to convert the restrictions in this Order to a Preliminary Injunction. If Mr. Regalbuto or any other party, believes that the Court should vacate the restrictions described above, or impose alternative restrictions in the form of a Preliminary Injunction, he must appear, *pro se* or with counsel, and respond to the Receiver's arguments. Should Mr. Regalbuto, fail to appear or respond, this Temporary Restraining Order will be converted into a Preliminary Injunction.

Given the nature of the restrictions herein, the Court sets a zero (\$0) bond.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: March 15, 2007